3 FAM 3270
DANGER PAY ALLOWANCE

(CT:PER-753; 11-03-2014)
(Office of Origin: A/OPR/ALS)

3 FAM 3271 INTRODUCTION

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

This subchapter will provide you with the following information:

(1) Scope and Applicability (3 FAM 3272);

(2) *Authorities* (3 FAM 3273.1);

(3) Responsibilities of the, Assistant Secretary of State for Administration, Post, Office of Allowances, and Bureau of Human Resources. (See 3 FAM 3273.2);

(4) Definitions (3 FAM 3274);

(5) Policy (3 FAM 3275);

(6) Procedures on how to apply for danger pay allowance (3 FAM 3276); and

(7) Payment of Danger Pay – (Percentage and Amount, Granting of Pay, Difficult to Staff Incentive Differential, Hardship Post Differential Rate, Military Forces (3 FAM 3277).

3 FAM 3272 SCOPE AND APPLICABILITY

3 FAM 3272.1 Scope

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

a. The danger pay allowance is designed to provide additional compensation *in addition to* basic compensation to all U.S. *government* civilian employees, including Chiefs of Mission, for service at places in foreign areas where there exist conditions of civil insurrection, civil war, terrorism or war, when these conditions threaten physical harm or imminent danger to the health or well-being of an employee. These conditions do not include acts that are

economically motivated.

b. A danger pay allowance is established by the Secretary of State when the conditions mentioned in subsection (a) threaten physical harm or imminent danger to the health or well being of a majority of employees officially stationed or detailed at a *foreign location. Danger pay rates by location are found at Section 920 of the Standardized Regulations.*

3 FAM 3272.2 Applicability

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

This regulation applies to all U.S. *government* civilian employees, including chiefs of mission.

3 FAM 3273 *AUTHORITIES* AND RESPONSIBILITIES

3 FAM 3273.1 *Authorities*

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

Danger pay is authorized under the following provisions:

(1) 5 U.S.C. 5928 (Section 2311, Foreign Service Act of 1980);

(2) Executive Order No. 10903 of January 9, 1961, as amended by Executive Order No. 12292 of February 23, 1981;

(3) Department of State Standardized Regulations (DSSR) Chapter 650; and

(4) 3 FAM 3210 *and* 3 FAH-1 H-3210*.*

3 FAM 3273.2 Responsibilities

3 FAM 3273.2-1 Assistant Secretary of State for Administration

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

The Assistant Secretary of State for Administration exercises the Secretary of State's authority to:

(1) Establish danger pay allowances based on the information listed in 3 FAM

3272; and

(2) Designate danger pay commencement and termination dates.

3 FAM 3273.2-2 Post/Principal/Management Officer

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

The principal/management officer:

(1) Completes and submits Form DS-578, Danger Pay Factors, along with pertinent supporting information to the Department of State, Office of Allowances (A/OPR/ALS) for review; and

(2) Reviews, incorporates pertinent information, and signs the employee's Form SF-1190, Foreign Allowances Application, Grant and Report.

3 FAM 3273.2-3 Department of State, Office of Allowances (A/OPR/ALS)

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

a. The Director of the Office of Allowances chairs a working group, which makes a recommendation to the Assistant Secretary of State for Administration concerning a danger pay designation.

b. The Office of Allowances interprets Chapter 650 of the Department of State Standardized Regulations (DSSR) and provides guidance and advice regarding the DSSR.

3 FAM 3273.2-4 Bureau of Human Resources, Employee Relations (HR/ER)

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

HR/ER:

(1) Reviews and coordinates danger pay policy revisions with the Office of Allowances; and

(2) Provides advice and guidance to inquiries, when necessary.

3 FAM 3274 DEFINITIONS

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

Danger Pay Allowance: The additional compensation of up to *35* percent over basic compensation granted to employees (Refer to DSSR 031 and DSSR 040i) for service at designated danger pay posts, pursuant to 5 U.S.C. 5928, (Section 2311, Foreign Service Act of 1980) and the provisions of this chapter.

Other definitions: Use this link: Department of State Standardized Regulations (DSSR) Sections 651 and 040.

3 FAM 3275 POLICY

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

a. Danger pay may be authorized at posts where civil insurrection, civil war, terrorism, or wartime conditions threaten physical harm or imminent danger to the health or well being of employees. It will normally be granted at posts where the evacuation of family members and/or nonessential personnel has been authorized or ordered, or at posts at which family members are not permitted.

b. The part of a post's hardship differential rate (DSSR 500) that is attributable to political violence may be reduced when the danger pay allowance is authorized to avoid dual credit for political violence.

c. The post hardship differential and difficult to staff incentive differential for a post will be reviewed to assure that appropriate rates of each are established concurrent with termination or revision of danger pay.

3 FAM 3276 HOW TO APPLY

3 FAM 3276.1 Department of State, Foreign Service Corps-USDA, Commerce and BBG

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

a. Complete and forward Form SF-1190, Foreign Allowances Application, Grant and Report, to the post.

b. Refer to 3 FAM 3210 and 3 FAH-1 H-3210 for general allowance information as well as guidance and procedures on how to apply to receive danger pay

allowance and other allowances.

c. Refer to 4 FAH-3 H-535.2, "Application."

3 FAM 3276.2 USAID

(CT:PER-532; 05-02-2005)
(USAID)
(Applies to Foreign Service Employees and Civil Service Employees)

a. For overseas USAID employees, the timekeeper submits Form AID 400-9, Time and Attendance Supporting Documentation, on a biweekly basis to report danger pay. For employees on detail to danger pay posts, the controller sends a Memorandum, Danger Pay for TDY Employees, to M/FM/P and certifies this information.

b. Refer to automated directives system (ADS) 479, Hours of Duty, and ADS 477, Allowances and Differentials for additional information.

3 FAM 3276.3 USDA/Foreign Agricultural Service (FAS)

(CT:PER-753; 11-03-2014)
(Foreign Service Corp-USDA Only)
(Applies to Foreign Service Employees and Civil Service Employees)

FAS employees should *enter their hours* for Danger Pay *into the webTA system using the Transaction Code 49 – 49 at the appropriate percentage rate.*

3 FAM 3276.4 BBG

(CT:PER-753; 11-03-2014)
(BBG Only)
(Applies to Foreign Service Employees and Civil Service Employees)

For BBG employees on detail to danger pay posts, submit a completed *Form* SF-1190 to M/P for certification.

3 FAM 3277 PAYMENT OF DANGER PAY

3 FAM 3277.1 Percentage and Amount

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

a. The amount of the danger pay cannot exceed *35* percent of basic compensation.

b. The danger pay allowance *must* be granted at the *5, 10,* 15, 20*, 25, 30,* and *35* percent rates, based on the level of danger and the presence of non-essential personnel and dependents at post.

c. When danger pay is granted under 3 FAM 3277.5, the amount of danger pay *must* be equal to the flat rate amount paid to uniformed military personnel as imminent danger pay.

d. Refer to 4 FAH-3, H-533.12-2, "Danger Pay Computation" for Danger Pay Computation, Accounting for Danger Pay, and Reporting of Eligibility for Danger Pay.

e. Danger pay allowance is not subject to any ceiling that would provide payment less than the full percentage rate prescribed for the post. (DSSR 656.2)

3 FAM 3277.2 Granting of Danger Pay

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

The danger pay allowance may be granted separately from any grant of post hardship differential in DSSR 500 and may be granted at foreign posts or country/areas that have no post hardship differential.

3 FAM 3277.3 Difficult to Staff Incentive Differential

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

The combination of the danger pay allowance and difficult to staff incentive differential may not exceed *35* percent of basic compensation.

3 FAM 3277.4 Post Hardship Differential Rate

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

The danger pay allowance is in lieu of that part of the post's hardship differential rate (DSSR 500) that is attributable to political violence. Consequently, the rate of post hardship differential may be reduced while the danger pay allowance is in effect to avoid dual credit for political violence. However, combined danger pay and post hardship differential for each employee will be at least five percent (of basic compensation) above the previous combined post hardship differential and special incentive differential, if any, in effect at the post.

3 FAM 3277.5 Military Forces

(CT:PER-753; 11-03-2014)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

Under circumstances defined by the Secretary of State, a danger pay allowance may be granted to civilian employees who accompany U.S. military forces designated by the Secretary of Defense as eligible for imminent danger pay. The Secretary of State will define the area of application for civilian employees and the amount of danger pay *must* be the same flat rate amount paid to uniformed military personnel as imminent danger pay. Danger pay authorized under this subparagraph will not be paid for periods of time that the employee either receives danger pay authorized under 3 FAM 3272 or post hardship differential that would duplicate political violence credit.

3 FAM 3278 ADDITIONAL INFORMATION

(CT:PER-532; 05-02-2005)
(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)
(Applies to Foreign Service Employees and Civil Service Employees)

a. For Information on: Refer to:

Payment of the Danger Pay Allowance	DSSR 656.1
Exclusion of Danger Pay Allowance From Step Pay Increase Computations	DSSR 657
Commencement	DSSR 654.1
Termination	DSSR 654.2
Danger Pay Allowance on Detail	DSSR 655

b. Contact the Office of Allowances at (202) 261-8700 or visit their website.

3 FAM 3279 UNASSIGNED